

**MOORE COUNTY PLANNING BOARD
REGULAR MEETING
THURSDAY, MARCH 5, 2015, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd Floor**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of February 5, 2015
- C. Consideration of Abstentions

III. PUBLIC HEARING

Planning Board Chairman opens Public Hearing #1

1. The applicant, Flint Hill Solar, LLC is seeking a Conditional Use Permit to construct a commercial Solar Collector Facility on NC Hwy 24-27 in the Carthage Township on a parcel (ParID 00004653) owned by McDowell Timber Company as identified in the Moore County tax records. The parcel is approximately 36.55 acres. (*Theresa Thompson Presenting*)

Planning Board Chairman calls proponents and opponents forward for Public Hearing #1 (one at a time)

Planning Board Chairman opens the floor for discussion and a motion regarding Public Hearing #1

Planning Board Chairman closes Public Hearing #1

IV. OTHER BOARD MATTERS

1. Moore County Open Space Plan Discussion

V. PLANNING DEPARTMENT REPORTS

VI. BOARD COMMENT PERIOD

VII. UPCOMING EVENTS

- Tuesday, March 3, 2015 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Tuesday, March 17, 2015 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Thursday, April 2, 2015 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage

VIII ADJOURNMENT

Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is give to the County.

Please see attached procedures for the Public Comment Period and public commend during Public Hearings

PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 1. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 1. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 2. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 3. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 4. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 5. Any applause will be held until the end of the Public Comment Period.*
- 6. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 7. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 8. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board

**MOORE COUNTY PLANNING BOARD
PUBLIC HEARINGS PROCEDURES**

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY FEBRUARY 5, 2015, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Buck Mims (Chair), Aaron McNeill (Vice Chairman), Molly Boggis, Eli Schilling, Scott McLeod, Rich Smith

Board Members Absent: Robert Hayter, Gene Horne, Eddie Nobles

Staff Present: Debra Ensminger, Planning Director
Theresa Thompson, Planner
Lydia Cleveland, Administrative Officer II

Press Representatives: Greg Hankins

CALL TO ORDER

Planning Board Chairman Buck Mims called the meeting to order.

INVOCATION

Vice Chairman Aaron McNeill offered the invocation.

MISSION STATEMENT

Board Member Scott McLeod read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of December 4, 2014
- C. Consideration of Abstentions

Board Member Eli Schilling motioned to approve the Consent Agenda and the motion was seconded by Board Member McLeod. The motion passed unanimously (6-0).

PUBLIC HEARING(s)

Chairman Mims opened public hearing #1

Genette Gibson is requesting a General Use Rezoning of ParID# 00017206, owned by Tate Rental Properties as identified in Moore County tax records; the parcel is approximately 0.82 acres (approximately 35,439 square feet). The parcel is located at 5675 NC Highway 211. The request is to rezone the entire property from Highway Commercial (B-2) to Residential and Agriculture (RA-40).

Planner, Theresa Thompson presented background information as well as the purpose of the request submitted by the applicant. Ms. Thompson presented each of the recommended motions regarding this case and asked if there were any questions.

Board Member Schilling asked Ms. Thompson to review a question he had regarding the selection of the zoning request in both public hearing's because each lot does not meet the minimum lot size.

Ms. Thompson explained that the minimum lot size only applies to new subdivisions if they were built today, because the home already exists, the minimum lot size has no bearing. The selection of each rezoning was based on surrounding lots that already have the designation.

Board Member Molly Boggis made a motion to adopt the Moore County Planning Board Consistency Statement and authorize its Chairman to execute the document required by North Carolina Statute 153A-341. The motion was seconded by Board Member Rich Smith and the motion passed unanimously (6-0).

Board Member Boggis made a motion to endorse the Moore Count Board of Commissioners to approve the general use rezoning of the parcel known as ParID#00017206 as identified in Moore County tax records from Highway Commercial (b-2) to Residential and Agriculture (RA-40) as proposed. The motion was seconded by Vice Chairman McNeill and the motion passed unanimously (6-0).

Chairman Mims closed public hearing #1

Chairman Mims opened public hearing #2

Yolanda Moore is requesting a General Use Rezoning of ParID# 00034081, owned by Wells Fargo Bank as identified in Moore County tax records; the parcel is approximately 0.45 acres (approximately 19,910 square feet). The parcel is located at 28 Youngs Road. The request is to rezone the entire property from Highway Commercial (B-2) to Rural Equestrian (RE).

Planner, Theresa Thompson presented background information as well as the purpose of the request submitted by the applicant. Ms. Thompson presented each of the recommended motions regarding this case and asked if there were any questions.

Board Member Schilling made a motion to adopt the Moore County Planning Board Consistency Statement and authorize its Chairman to execute the document required by North Carolina Statute 153A-341. The motion was seconded by Board Member McLeod and the motion passed unanimously (6-0).

Board Member Schilling made a motion to endorse the Moore County Board of Commissioners to approve the general use rezoning of the parcel known as ParID# 00034081 as identified in Moore County tax records from Highway Commercial (B-2) to Rural Equestrian (RE) as proposed. The motion was seconded by Board Member Smith and the motion passed unanimously (6-0).

Chairman Mims closed public hearing #2

Citizen Lane Kjellsea was not called during the public hearing but Chairman Mims asked if he would like to explain his opposition to this request. Mr. Kjellsea explained that his property is adjacent to this property. Due to the size of the property he does not believe it is appropriate to be zoned rural equestrian. He further explained the property is the only buffer between his commercial property and the nearby subdivisions. Mr. Kjellsea believes that it should remain a commercial property because changing it may cause encroachment and traffic issues.

Chairman Mims asked Mr. Kjellsea what he thinks should be done with the property.

Mr. Kjellsea said he doesn't have an idea but he thinks it should remain a commercial property.

Chairman Mims apologized for not calling him but explained that this request has not been finalized and it will be heard by the Board of Commissioners in March.

OTHER BOARD MATTERS

All members were not present for the meeting so no decisions were made regarding a subcommittee for the Open Space Plan. Ms. Ensminger explained the purpose and expectations of the Open Space Plan and will hold the same discussion at the next meeting when more members may be present.

PLANNING DEPARTMENT REPORTS

Planning Director Debra Ensminger explained that as of January 12, Jeremy Rust no longer works for the County of Moore and the position is not planned to be filled until the next fiscal year.

BOARD COMMENT PERIOD

Board Member Boggis thanked Jeremy for his work and Chairman Mims provided an update on Board Member Eddie Nobles.

ADJOURNMENT

With no further comments Chairman Mims adjourned the regular meeting of the Moore County Planning Board.

Respectfully submitted by,

Lydia Cleveland
Administrative Officer II

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Services Director

DATE: February 4, 2015

SUBJECT: Conditional Use Permit Request: Solar Collector Facility,
Commercial

PRESENTER: Theresa Thompson

REQUEST

The applicant, Flint Hill Solar, LLC is seeking a Conditional Use Permit to construct a commercial Solar Collector Facility on NC Hwy 24-27 in the Carthage Township on a parcel (ParID 00004653) owned by McDowell Timber Company as identified in the Moore County tax records. The parcel is approximately 36.55 acres.

EXISTING ZONING AND SURROUNDING LAND USE

The property is zoned Rural Agricultural (RA). All adjacent properties are zoned RA besides one property which is zoned B-2 (Highway Business). The current use of the property is vacant. The adjacent land uses include single family homes and vacant parcels. The property zoned B-2 is used to construct wooden storage buildings.

WATER AND SEWER

The site will not necessitate water or sewer connections.

OVERLAY DISTRICTS

1. Watershed – The property is not located within a Public Water Supply Watershed
2. Floodplain – The property is not located within a Floodplain
3. Wetland – Per the applicant, a wetland/stream delineation is in progress.
4. Voluntary Agricultural District – The property is within one-half mile of a VAD
5. Highway Corridor Overlay District – The property is not located within an HCOD
6. Red Cockaded Woodpecker – The property is not located in the RCW District
7. Fort Bragg Zoning Overlay – The property is not located in the FBZO District

TRANSPORTATION

The property has direct access to an existing paved NCDOT highway (NC 24-27). An NCDOT driveway permit is required. Per NCDOT, solar farms are not required to pave the entrance due to the low traffic generated.

REQUIRED FINDINGS

In recommending the Conditional Use Permit the following findings must be met:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity;
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the approved Moore County Land Use Plan. In this instance, the proposed use is reflected in the goals of the Moore County Land Use Plan adopted in November 2013. Specifically, Goal 3: Optimize the Uses of Land Within the County of Moore; under Goal 3, Action 3.4.4 states, "Plan for the development of alternative energy systems that minimize the adverse impacts to prime agricultural lands and public water supply watersheds."

ADDITIONAL CONDITIONS

Staff recommends the applicant agree to the following additional condition: Should Building Inspections, Environmental Health, or the Fire Marshal identify minor changes staff shall be authorized to accept such minor modifications to site plan as necessary.

STAFF RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion 1: Make a motion to endorse the Moore County Board of Commissioners to approve/deny the Conditional Use Permit for the use of a Solar Collector Facility on the parcel known as ParID# 00004653.

ATTACHMENTS

Pictures of Site and Adjacent Properties
Vicinity Map
Conditional Use Permit Application
Submitted Site Plan

PICTURES OF SITE AND ADJACENT PROPERTIES

Proposed Solar Collector Facility Site



NC 24-27 (Eastbound) Intersection with Mount Carmel Rd. (Proposed Solar Site on the left)



NC 24-27 Eastbound (Proposed Solar Site on the left)



Adjacent Property - Zoned Highway Commercial (B-2) and used to construct storage buildings.



Adjacent Property – Residence located “in front” of proposed site as shown on the site plan

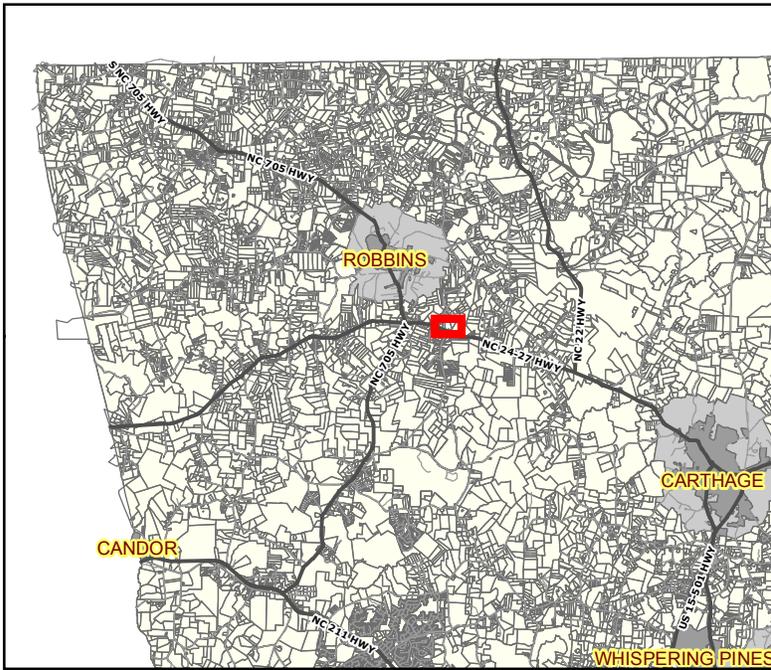


Adjacent Property – Residence located across NC 24-27 from the site.

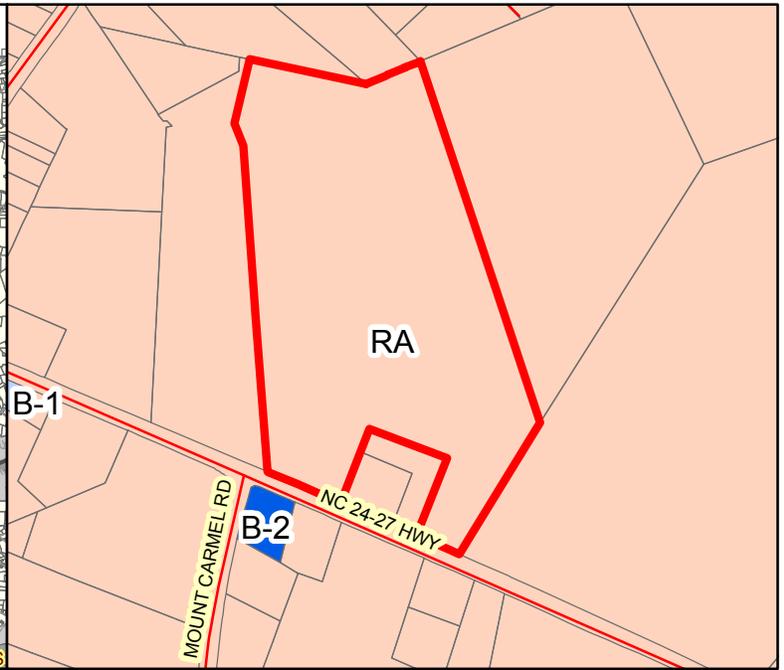


Adjacent Property – Residence located across NC 24-27 from the site.





County Location Map
1 in = 6 miles



Current Zoning
1 inch = 716 feet



Aerial Photography 2010
1 inch = 507 feet



Moore County GIS Disclaimer
All the information contained on this media is prepared for the inventory of real property found within Moore County. All data is compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information. All information contained herein was created for the County's internal use. MOORE COUNTY, ITS OFFICIALS, AGENTS AND EMPLOYEES MAKE NO WARRANTIES TO THE CORRECTNESS OR ACCURACY OF THE INFORMATION SET FORTH ON THIS MEDIA WHETHER EXPRESS OR IMPLIED, IN FACT OR IN LAW, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR USE. Any reuse of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10.
Grid is based on North Carolina State Plane Coordinate System NAD83 3 feet.



Vicinity Map
Owner: McDowell Timber Company
Applicant: Flint Hill Solar, LLC
Conditional Use Permit
ParID 00004653

Legend

	B-1		PUD/CUD		RA-40
	B-1-CUD		PUD-H		R-MH
	B-2		RA		RA-CUD
	GC-SL		RA-2		RA-USB
	GC-WL		RA-2-CUD		RE
	I		RA-5		VB
	P-C		RA-20		VB-CUD



PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905
1048 Carriage Oaks Drive
Carthage, NC 28327
Planning: 910.947.5010
Central Permitting: 910.947.2221
Fax: 910.947.1303
www.moorecountync.gov

Conditional Use Permit Application

Application Date: January 30, 2015

Location/Address of Property: NC Hwy 24-27, Carthage, NC 28327

Applicant: Flint Hill Solar, LLC Phone:

Applicant Address: 176 Mine Lake Court, Suite 100 City: Raleigh St: NC Zip: 27615

Owner: McDowell Timber Company Phone: 336-625-4567

Owner Address: 1926 Old Humble Mill Road City: Asheboro St: NC Zip: 27205

Current Zoning District: RA Proposed Use: Solar Collector Facility

Comments: Please see the attached brief.

Application Submittal

The applicant must submit a complete application packet on or before the submittal deadline. This includes:

- Completed Moore County Conditional Use Permit Application.
- Application Fee (\$175).
- Postage sufficient to notify all adjacent landowners **FOR TWO MAILINGS**. (One for Planning Board meeting, and one for Board of Commissioners meeting.) The rate for postage **FOR EACH CERTIFIED MAIL LETTER** is \$6.49. This includes \$3.30 (certified mail) plus \$2.70 (return receipt) plus \$0.49 (first class stamp).
- A detailed site plan. (See page two of this packet for list of items to include.)

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.

McDowell Timber Company

By: Herman R. [Signature] g.p. 1-29-15
Applicant/Owner Signature Date

Applicant/Owner Signature Date

Office Use Only:

PAR ID: 00004653

Received By: Cher M. Thompson Date: 1/30/15

STATE OF NORTH CAROLINA

BEFORE THE
MOORE COUNTY BOARD OF
COMMISSIONERS

IN RE: Flint Hill Solar, LLC - Solar Collector Facility
Moore County PIN: 8630-00-61-2838.SPL

Address: NC Highway 24-27, Carthage, North Carolina

**STATEMENT OF JUSTIFICATION IN SUPPORT OF THE
CONDITIONAL USE PERMIT APPLICATION**

NOW COMES THE PETITIONER, by and through counsel of record, respectfully requests approval of their application for a conditional use permit to operate a Solar Collector Facility. In support of this request, Petitioner provides the following information:

I. Introduction

Flint Hill Solar, LLC proposes to construct a solar collector facility (commonly known as a "solar farm") on 19.23± acres of that certain 36.55± acre parcel owned by McDowell Timber Company on Highway NC 24-27 in Moore County. The property is zoned RA. The proposed solar farm is classified as a "Solar Collector Facility" under Section 9.3.27 of the Moore County, North Carolina Unified Development Ordinance (UDO).

The solar farm will contain rows of Photovoltaic (PV) cells mounted on posts set in the ground individually. These rows of PV cells are referred to as "solar arrays." The solar arrays will be fixed in place facing south in order to receive the maximum amount of solar energy. This configuration contains no moving parts. The power generated from the solar farm will be sold to Duke Energy for use by consumers to replace energy produced from a non-renewable source.

II. Statement in Support of Application

A. The proposed use will not materially endanger the public health or safety if located where proposed and developed according to plan.

The proposed solar farm will not endanger the public health or safety. The site will generate almost no traffic. The solar facility will not be staffed daily. Employees are expected to visit the property weekly or less frequently to check and maintain the equipment, mow the grass and make repairs. The area immediately surrounding the solar arrays will be enclosed by a six foot (6') high fence for security purposes.

The proposed solar farm will protect against soil erosion and sedimentation. Care is taken to minimize grading on the site by individually setting poles to support the solar cells. The areas beneath the solar panels will be planted with vegetation to stabilize the site. During construction, erosion control measures will be maintained in accordance with County regulations. The site will comply with State of North Carolina and Moore County stormwater regulations.

The proposed solar farm will protect the public, community and/or private water supplies and avoid adverse impacts on surface water or ground water. As there will be no employees on site, there is no need for installation of additional utilities or infrastructure. State environmental buffers will be maintained and respected.

B. The proposed use meets all required conditions and specifications.

The proposed solar farm will comply with all of the requirements in the RA zoning district and the UDO:

- The proposed solar farm meets all required setbacks, including inverter setbacks and screening requirements, pursuant to Section 8.2 of the UDO.
- The solar components located on-site will have a UL listing, or a listing from an alternative testing agency accepted by the local jurisdiction having authority over the project, and must be designed with anti-reflective coating(s).
- All construction will comply with the National Electric Code and North Carolina Building Code.
- No structure will exceed a height of twenty-five feet (25') when measured pursuant to the UDO requirements.
- All power transmission lines from a ground-mounted solar energy system will be located underground, excluding existing utilities.
- Access to the site will be controlled by a fence at least six feet (6') in height with 24/7 emergency access. The solar farm will be enclosed by a six foot (6') fence with 3-strand barbed wire or razor wire.
- The electrical disconnect switch will be clearly identified and unobstructed at all times. The Petitioner will file a map with the Moore County Public Safety Department depicting where the electrical disconnect is located, and will supply all emergency contact information to emergency personnel to have on file.

C. The proposed use will not substantially injure the value of adjoining property or abutting property unless the use is a public necessity.

The proposed use will not injure the value of adjoining properties. Solar farms are quiet. The solar arrays have no moving parts. The only sound occurs during daylight

hours with the quiet hum of electrical transformers, invertors, and the substation delivering solar power to the power grid. At night, when the sun is not available, there is no energy being created and no noise on the site. Solar farms generate fewer vehicles trips than the average home. Employees visit the site once a week or even less frequently. Solar panels are designed to absorb light, rather than reflect it, which mitigates and off-site glare concerns.

Solar energy is a public necessity. Demand for electricity has increased in recent years, and our society is currently dependent upon conventional sources of power such as coal, gas, and nuclear energy. Conventional sources of electricity are expensive, finite resources that require significant environmental disruption and public safety risk to maintain or extract. Solar energy is a clean, cheap, unlimited resource with little environmental impact.

D. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the approved Moore County Land Use Plan.

The proposed solar farm is consistent with the rural residential and agricultural land use pattern that exists in the area today. Solar farms make good neighbors: they are quiet and they do not create the noise, dust, or odor as a traditional "farm" can. Solar panels are shorter in height than a typical home. When mounted on racks, the solar panels will be less than 10' in height. A twenty foot (20') Type 3 screening yard will provide a transition between the solar farm and immediately adjacent properties as show on the proposed site plan.

The proposed solar farm is consistent with the Moore County 2013 Land Use Plan (LUP). The subject property is designated for Rural Agricultural uses on the Future Land Use Map in the LUP. The Residential Agricultural designation encourages land uses designed to support rural residential life and discourages subdivisions. The LUP identifies local energy production, such as solar farms, as an economic development opportunity that is compatible with residential uses saying "[f]rom a land use perspective, these facilities [solar collector facilities] can be accommodated adjacent to residential properties as they emit little noise and/or glare." (Moore County 2013 Land Use Plan, p. 62).

Allowing the property to develop as a solar farm maintains the rural character of the area while providing a sustainable benefit to the community. In addition, the proposed solar farm will consume practically no county services: no seats in county schools or on school buses, virtually no refuse or recycling needs, no special sheriff protection, no light pollution, no emissions of any kind, no demand for water from depleted aquifers, and no sewage disposal.

For the reasons set forth above, the Petitioner respectfully requests that the Moore County Board of Commissioners draws conclusions from the facts presented above and

as presented at the hearing on this Conditional Use Permit in favor of this application for a Conditional Use Permit for Solar Collector Facility.

This the 30th day of January 2015.

Respectfully submitted,

/s/ David J. Neill

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